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IAB IV 2210673

The interview occurred in the Captain's office at Stanley Mosk Court on March 17, 2008. Present was Lieutenant Bateman, Sergeant Naranjo, Deputy Lindo and his representative, Mitchell Kander.

Deputy Lindo was asked what happened on December 20, 2007, and the following is his summarized reply:

Ms. [redacted] wasn't his [redacted] at the time of the incident. He sent her a text message to get her property from his apartment. The only reason he told her to come get her stuff was to see his [redacted] that she had taken from him for the last few weeks. When he got home she was in his apartment. He asked her where the [redacted] was and she started cussing at him and using profanity. He told her to get out and when he was closing the door Ms. [redacted] told him her purse was inside. Her purse was on his couch, but he did not want to let her in because he didn't want any problems. She knocked on his door for awhile and then she left. She came back and knocked on his door again asking for her purse. A few minutes later he got a phone call. The caller would not identify himself and just asked if he was speaking to Hugh. A few minutes later San Bernardino County Sheriff's Department was knocking on his door. He opened the door and the first thing they asked was where his gun was. He told them it was on the counter and pointed toward it. The deputy cleared the gun and they said, "You need to sit your ass down and tell us what happened." Lindo replied that he didn't want to say anything without his lawyer and the deputies told him that he was going to go to jail then. They handcuffed him and he asked for a shirt and shoes. They told him since he wasn't going to talk that he was going to go dressed as he was. He stood up and began to fall. The deputy bent him over, put his arm in a control hold and told him to shut up. The deputy walked him to the car and while he was seated in the backseat, a deputy walked up and threw a shirt at him.

Clarifying questions:

They have [redacted] 3 years.
Ms. [redacted] had a key to the apartment.
When the police answered the door he answered it immediately.
Lindo admits to saying, "Why are you treating me this way? I am a cop just like you."
Lindo denied ripping the purse off of her shoulder and denied hitting her.
Four deputies came to the apartment and the sergeant was present during the whole incident.
Lindo denied saying, "Go ahead and arrest me."
Lindo admits to refusing to answer booking slip questions because he wanted a lawyer.
Lindo believes he was cooperative because he did not cuss or raise his voice.
Lindo had not been drinking or taking prescription drugs.

The following questions were transcribed verbatim: (B-Bateman, L-Lindo)

(B)Has there been any past incidents where the police have been called to your house?
(L)No

(B)Regarding...(L)No

(B)They have never come out to your house? (L)No

(B)Besides that one incident? (L)Yes

(B)Tell me about...I think January 14, 2008, you were [redacted] correct? Or, at home because you couldn't come to work because you were [redacted] correct?
(L)I don't know the exact date.

(B)Did you have an instance where that same officer came to your house?
(L)On which date?

(B)On January 14th. (L)I can't recall.

(B)You don't know if a police officer knocked at your door? (L)Yes, I don't know if it was the same officer.

(B)Just a few minutes ago I asked if you had any instances of, where police had come to your house....(L)you said previously before that...prior.
(B)I said, have you had any past instances of police coming out to your house. Had you, or had you not?

Rep Mitch Kander states that there is some confusion and wanted clarification as to what I mean by the past. Was it before today or before December 20th, 2007.

(B)OK, before today, how many other instances have you had?
(L)Maybe twice they came.
(B)Twice including December 20th?
(L)I believe so.

Lindo stated that the deputies came and said they heard noises coming from the apartment. The deputies were not specific as to what kind of noises. Ms. [redacted] was present and the police wanted to talk to her. However, Lindo told them she was in the shower.

When specifically asked what he told the police he replied, "I told them there was nothing going on." Lindo was not present when the police officers spoke to Ms. [redacted]

On January 14th, Lindo denies Ms. [redacted] was living at the location and she had moved in with her [redacted] at the time of this incident.

Lindo clarifies that officers came to his house two other times, aside from the time when he was arrested. Both times Ms. [redacted] was at the location and both times the officers told him neighbors were complaining of "noise." He specifically states the deputies were not clear about what kind of noise was coming from the apartment and the deputies did not say anything about domestic violence.

After a break in the interview and after consult with his rep Lindo stated (summarized):

I want the Department to know I was fully cooperative with deputies.
Ms. [redacted] is my [redacted] and stays from time to time but in the process of moving.
When the deputies came the two times after, they stayed for only a few minutes because the neighbors said they heard noises.

As far as contact, he did not perceive these police contacts as official because no report was taken.

Did you ever file a complaint because of your poor treatment by SBSO? He was told to file a civil suit after the administrative case is over. All of the treatment occurred in front of a supervisor.

[redacted] does stay at his apartment here and there. The last time she stayed was the week prior. On the 14th she was not living with him.

Ms. [redacted] does not have a key to the apartment, he lets her in when she comes over.

I conducted the following interview at 601 S. Figueroa, Los Angeles, on March 4, 2008, at 1254 hours. The location is Ms. [redacted] place of employment.

Mr. Lindo and Ms. [redacted] have been together approximately three and a half years and have one [redacted] in common. Ms. [redacted] was not living with Mr. Lindo at the time he was arrested. She had moved out on November 27, 2007.

Ms. [redacted] stated that on December 20, 2007, she received a text message from Mr. Lindo that told her to get her stuff out of the apartment. She went to the apartment and while she was in the parking lot, Mr. Lindo came home. He asked her for the key and she gave it to him. He grabbed her purse, which she was wearing across her body, and walked toward the apartment. Mr. Lindo opened the door with the key that she gave him and went inside with her purse. Ms. [redacted] rang the doorbell and asked for her purse back. Mr. Lindo would not answer.

Ms. [redacted] left and called Mr. Lindo on the phone. Mr. Lindo came out of the apartment "swinging." Mr. Lindo hit her on the arm, head, and back. There were no visible injuries. Ms. [redacted] got into her car and left.

Ms. [redacted] left and contacted the police. She told them she just wanted her purse. While they stood in the parking lot of the apartment complex, the deputy asked Ms. [redacted] for the telephone number to Mr. Lindo. She gave the deputy the phone number of [redacted] but did not hear the conversation between them.

Ms. [redacted] describes her relationship with Mr. Lindo as on and off. When asked if she was currently living with Mr. Lindo she stated that she was. She plans on moving out by the 15th of March.

Ms. [redacted] denied a history of domestic violence between them.

On February 26, 2008, I went to the Rancho Cucamonga Office of the San Bernardino Sheriff's Department to meet with Deputy [redacted] the arresting officer.

Deputy [redacted] related to me the information contained in report # 10716635. He did however, expound on the details of Subject Lindo's cooperativeness during the event.

Deputy [redacted] indicated that he called Subject Lindo on his cell phone prior to making contact. A male answered and stated, "Lindo's not here," and then the male hung up on him, even after Deputy [redacted] identified himself as a deputy sheriff.

Deputy [redacted] went to the door and knocked several times and did not receive an answer. Through the peep hole in the door, he could see a shadow moving back and forth. Deputy [redacted] stated through the door he told Deputy Lindo that they needed to talk and he finally opened the door.

When Deputy [redacted] initially entered the apartment, he saw the victim's purse laying on the couch.

Deputy Lindo became agitated when the deputies entered the apartment. He stated, "Why are you guys treating me like this? I'm one of you." Deputy [redacted] explained that all they wanted was her purse and his side of the story so it could be documented.

Deputy [redacted] nearly begged Deputy Lindo to cooperate, even going as far as explaining why they cleared his weapon and briefly looked around the apartment. Deputy [redacted] told me they really didn't want to make an arrest because they felt the arrest was kind of weak. They emphasized they just wanted to get the purse back. However, Subject Lindo continued to escalate.

The sergeant stepped in to try to diffuse Subject Lindo, however, Subject Lindo said, "Well then arrest me."

When Subject Lindo was being escorted to the car, he continued to be uncooperative. There was "a little bit of a tug of war getting him down the stairs."

Subject Lindo refused to talk to Deputy [redacted] even going as far as not answering questions for the booking slip nor did he sign the booking slip.

Deputy [redacted] described him as being "near combative" and stated at one point he thought they were going to have to take him down.

Deputy [redacted] added that on January 14, 2008, deputies were again summoned to the apartment for a domestic dispute. This call was phoned in by an anonymous informant

who described the incident as the male was being very aggressive with the female. When they arrived at the location, Subject Lindo was again uncooperative. Deputy [redacted] asked if everything was ok and Subject Lindo stated everything was fine and started to shut the door. Deputy [redacted] to Subject Lindo that they needed to look into the situation and speak with his [redacted]. Subject Lindo responded by saying it was going to be awhile and Deputy [redacted] told him that he would wait. Subject Lindo again tried to shut the door and Deputy [redacted] told him not to. Subject Lindo stated that his baby was going to get cold if the door was not shut and Deputy [redacted] instructed him to put the baby in the back bedroom. Subject Lindo stated his [redacted] was in the shower. Finally, Subject Lindo went to get his girlfriend, Ms. [redacted] Ms. [redacted] came to the door and did not appear to have recently showered. She was fully dressed. Ms. [redacted] stated that everything was ok and Deputy [redacted] left the location.

Deputy [redacted] reemphasized that their initial contact with Subject Lindo was just short of begging and they really did not want to take him to jail.

On May 2, 2008, I telephoned Sergeant [redacted] a San Bernardino Sheriff's Sergeant, and interviewed him over the telephone at 0545 hours.

Sergeant [redacted] stated that as a sergeant it would be his responsibility to respond to any incident involving a law enforcement officer. He was at the location during the entire incident, but was not present after Subject Lindo was taken to the patrol car.

When they arrived they knocked on the door numerous times. Subject Lindo finally answered. Each one of the deputies took a turn in trying to convince him to cooperate. They explained to him they were going to take a report to document the incident and leave. They would submit the report to the District Attorney's office for a decision, but they really did not want to arrest him. Sergeant [redacted] also tried talking to Subject Lindo. Subject Lindo told them that if they had something to arrest him on then "arrest me." They arrested him and he changed his attitude for a minute, but they told him it was too late. They explained they would still send the case to the DA's office for a decision.

When the deputy started to escorted Subject Lindo to the patrol car they had some sort of "problem." I asked him to clarify and he described Subject Lindo as "tensing up" or not wanting to walk. The deputy had to force him to walk. No force documentation was done because the force did not rise to a level that would require it.

Sergeant [redacted] stated they were as polite as they could be. When Subject Lindo became confrontational, they had to take their communications to a different level. Subject Lindo talked in the "tone" of a gangster and they thought perhaps he was security for the Sheriff's Department and not a deputy. I asked if any of his deputies told Subject Lindo to sit down and shut up. Sergeant [redacted] said that he doesn't specifically remember that, but it could have happened because he was "running his mouth" and being uncooperative.

On May 1, 2008, I telephoned Deputy [redacted] a San Bernardino Sheriff's Deputy, and interviewed him over the telephone at 1205 hours.

Deputy [redacted] stated that he remembers the incident involving Subject Lindo. Deputy [redacted] telephoned into the residence to try to contact Subject Lindo. When Deputy [redacted] called, he identified himself as a San Bernardino Sheriff's Deputy and Subject Lindo stated that he wasn't there and the subject hung up the phone.

Upon contact, Subject Lindo confronted the deputies with uncooperative behavior. Deputy [redacted] entered the apartment and cleared Subject Lindo's weapon. Subject Lindo told the deputies they were treating him like a criminal. Deputy [redacted] tried to persuade Subject Lindo to talk to them, but he was uncooperative. Subject Lindo was disrespectful and the deputies felt that the situation may escalate to the point Subject Lindo may fight with them. Subject Lindo was described as being very angry, raising his voice.

As Subject Lindo was being led out of the apartment, he started to pull away from the deputy. Subject Lindo's resistence required another deputy to help lead him out to the patrol car.

On May 1, 2008, I telephoned Deputy [redacted] a San Bernardino Sheriff's Deputy, and interviewed him over the telephone at 1221 hours.

Deputy [redacted] responded to Subject Lindo's apartment the day he was arrested. Subject Lindo was uncooperative. Subject Lindo stated he was a law enforcement, refused to sit down and was agitated. Witness [redacted] thought that he could become aggressive.

Deputy [redacted] saw Subject Lindo resist as he was being escorted to the car. Deputy [redacted] went to assist the deputy that was escorting Subject Lindo in order to control him.

On May 1, 2008, I telephoned Deputy [redacted] a San Bernardino Sheriff's Deputy, and interviewed him over the telephone at 1246 hours.

Deputy [redacted] went to Subject Lindo's apartment on February 5, 2008. He was not present during Subject Lindo's arrest. At the time of this call he did not know that Subject Lindo was a deputy sheriff.

Deputy [redacted] responded to a possible domestic disturbance at the location. Subject Lindo stated that he was being harassed because he was black and Witness [redacted] told him that wasn't the case. He explained they had received a call of people fighting inside of the apartment. Ms. [redacted] was just as uncooperative as Subject Lindo during the incident. Deputy [redacted] stated he did not know he was a deputy and "wouldn't have guessed in his wildest dreams that he was a law enforcement officer based on his attitude."

Deputy [redacted] said when he contacted Subject Lindo, he explained that he got a report of a possible domestic disturbance coming from his apartment and he wanted to make sure everybody was ok. Subject Lindo became argumentative and stated he was being harassed. Each time Deputy [redacted] tried to explain himself, Subject Lindo interrupted him.

When Deputy [redacted] cleared the called, he wrote that the incident was a verbal dispute only and the subject in the apartment was extremely uncooperative with law enforcement.

On June 3, 2008, I telephoned Deputy [redacted] a San Bernardino Sheriff's Deputy, and interviewed him over the telephone at 0137 hours.

Deputy [redacted] was one of the last deputies to respond to Subject Lindo's apartment. When he entered the apartment he saw a female crying in the kitchen area. He described Subject Lindo as uncooperative. He wasn't giving full information. It was apparent that either a verbal or physical altercation had occurred. As Deputy [redacted] entered the apartment, Deputy [redacted] mentioned to Deputy [redacted] that the subject was being uncooperative. Deputy [redacted] does not remember exactly how Deputy [redacted] phrased it, but it was something to the effect of...the subject is uncooperative, but everything is [redacted] He does not remember any of the conversation between the responding deputies and the subject.

On June 13, 2008, I telephoned Deputy [redacted] a San Bernardino Sheriff's Deputy, and interviewed her over the telephone at 0945 hours.

Deputy [redacted] does not remember the entire incident on February 27, 2008. She remembers making contact. She describes him as being uncooperative, but could not give me specifics as to how he was uncooperative. Her partner that day was Deputy [redacted] and he had the majority of the interaction with Deputy Lindo.

She describes Ms. [redacted] as being upset and said she may have been crying.

Deputy [redacted] stated that when she responds to domestic violence incident she usually tells the parties why she has come to their location. She does not remember what she told Deputy Lindo that day, but she "would imagine" she told him why they were there.

I telephoned Deputy [redacted] a San Bernardino Sheriff's Deputy, and interviewed her over the telephone at 1143 hours on June 13, 2008.

Deputy [redacted] does not remember the call or if anything was out of ordinary. He remembers running the subjects and that Ms. [redacted] appeared upset as if she was in a verbal argument.

Generally, when he shows up at a location he will tell the involved parties that he is responding because of a verbal dispute, but the parties know why they are there.

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

"A Tradition of Service"

DISPOSITION SHEET

DATE: July 11, 2008
FILE NO. 2196942

FROM: RICHARD J. BARRANTES, CHIEF
COURT SERVICES DIVISION

TO: KARYN MANNIS, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: **LINDO, HUGH [redacted]**
DEPUTY SHERIFF
CENTRAL ARRAIGNMENT COURT

Upon consideration of the facts developed in this investigation, I have determined that the Subject be **DISCHARGED** for the reasons set forth in the attached documentation. This decision may be reconsidered based on the employee's response.

RICHARD J. BARRANTES, CHIEF

7-16-08
DATE

CASE REVIEWED BY

LARRY L. WALDIE
UNDERSHERIFF

DATE

MARVIN O. CAVANAUGH
ASSISTANT SHERIFF

PAUL K. TANAKA
ASSISTANT SHERIFF

DATE

DATE

RJB:MAM:mam

The following charges have been determined to be **unresolved**:



- [redacted]
- [redacted]

The evidence in this investigation **supports** the following charges:

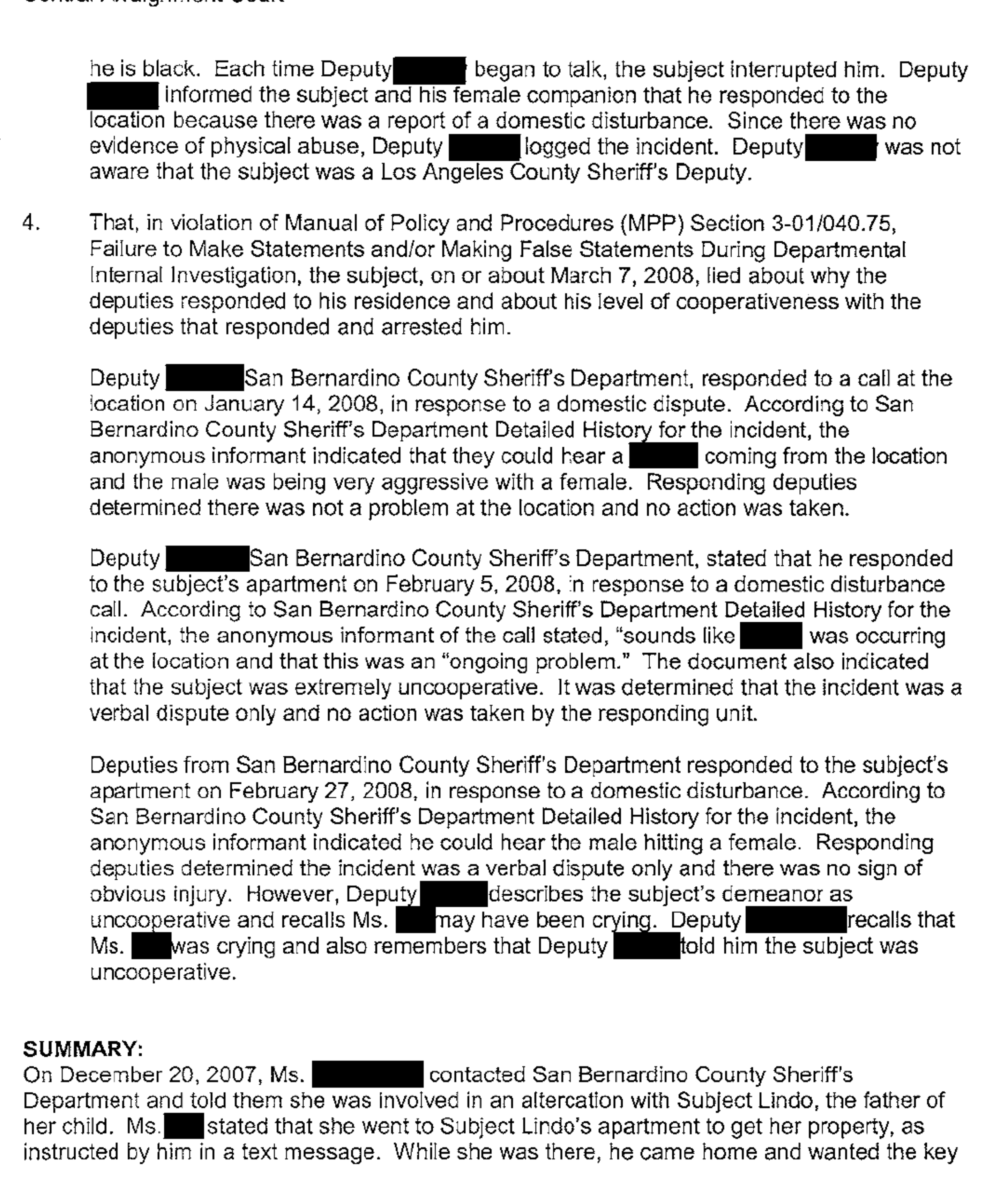
3. That, in violation of Manual of Policy and Procedures (MPP) Section 3-01/030.05, General Behavior, the subject, on or about December 20, 2007, was arrested and displayed actions toward the arresting officers that brought discredit to himself and the Department.

   Subject Lindo was described by Deputy [redacted] of the San Bernardino County Sheriff's Department, the arresting officer, as uncooperative and "near combative." Deputy [redacted] stated that as the subject was being escorted to his patrol vehicle, he continued to be uncooperative and there was "a little bit of a tug of war getting him down the stairs." The subject refused to answer questions during the booking process and refused to sign the booking slip.

   Sergeant [redacted] of the San Bernardino County Sheriff's Department stated that they tried talking to the subject in an attempt to avoid arresting him. However, the subject was uncooperative and told the deputies if they had something to arrest him for, then "arrest me." Sergeant [redacted] stated that as the subject was being escorted to the patrol vehicle he tensed up and did not want to walk. It became necessary for two deputies to escort him and force him to walk.

   Deputy [redacted], San Bernardino County Sheriff's Department, stated that the subject was uncooperative and disrespectful. Deputy [redacted] tried to get the subject to talk to him, but the subject refused to talk about the incident. The subject was described as very angry and raising his voice. Deputy [redacted] felt the situation might have escalated to the point the subject may have fought them. As the subject was being led out of the apartment, he started to pull away from the deputy. The subject's resistence required another deputy to help escort him out to the patrol car.

   Deputy [redacted], San Bernardino County Sheriff's Department, stated that he responded to a domestic disturbance call at the subject's apartment on February 5, 2008. The subject was uncooperative and made accusations that he was being harassed because



he is black. Each time Deputy [redacted] began to talk, the subject interrupted him. Deputy [redacted] informed the subject and his female companion that he responded to the location because there was a report of a domestic disturbance. Since there was no evidence of physical abuse, Deputy [redacted] logged the incident. Deputy [redacted] was not aware that the subject was a Los Angeles County Sheriff's Deputy.

4. That, in violation of Manual of Policy and Procedures (MPP) Section 3-01/040.75, Failure to Make Statements and/or Making False Statements During Departmental Internal Investigation, the subject, on or about March 7, 2008, lied about why the deputies responded to his residence and about his level of cooperativeness with the deputies that responded and arrested him.

Deputy [redacted] San Bernardino County Sheriff's Department, responded to a call at the location on January 14, 2008, in response to a domestic dispute. According to San Bernardino County Sheriff's Department Detailed History for the incident, the anonymous informant indicated that they could hear a [redacted] coming from the location and the male was being very aggressive with a female. Responding deputies determined there was not a problem at the location and no action was taken.

Deputy [redacted] San Bernardino County Sheriff's Department, stated that he responded to the subject's apartment on February 5, 2008, in response to a domestic disturbance call. According to San Bernardino County Sheriff's Department Detailed History for the incident, the anonymous informant of the call stated, "sounds like [redacted] was occurring at the location and that this was an "ongoing problem." The document also indicated that the subject was extremely uncooperative. It was determined that the incident was a verbal dispute only and no action was taken by the responding unit.

Deputies from San Bernardino County Sheriff's Department responded to the subject's apartment on February 27, 2008, in response to a domestic disturbance. According to San Bernardino County Sheriff's Department Detailed History for the incident, the anonymous informant indicated he could hear the male hitting a female. Responding deputies determined the incident was a verbal dispute only and there was no sign of obvious injury. However, Deputy [redacted] describes the subject's demeanor as uncooperative and recalls Ms. [redacted] may have been crying. Deputy [redacted] recalls that Ms. [redacted] was crying and also remembers that Deputy [redacted] told him the subject was uncooperative.

SUMMARY:
On December 20, 2007, Ms. [redacted] contacted San Bernardino County Sheriff's Department and told them she was involved in an altercation with Subject Lindo, the father of her child. Ms. [redacted] stated that she went to Subject Lindo's apartment to get her property, as instructed by him in a text message. While she was there, he came home and wanted the key

to his apartment. He grabbed her purse, which was being worn across her body, and a struggle ensued. He eventually took her purse and went back into the apartment. Ms. [redacted] went to the door and asked for her purse. Subject Lindo refused to open the door and give it to her. Again, Ms. [redacted] attempted to get her purse from Subject Lindo, he exited the apartment and hit her in the head, neck and back with his hand. Ms. [redacted] left and contacted the San Bernardino County Sheriff's Department who responded to the location to investigate. Knowing that Subject Lindo was a deputy sheriff and could be armed, Deputy [redacted] telephoned Subject Lindo. Subject Lindo hung up the phone even after Deputy [redacted] identified himself as a deputy sheriff. The deputies went to his door and after a few minutes, they were let in. They saw Ms. [redacted] purse on the couch.

Subject Lindo was immediately defiant and uncooperative. He refused to answer any questions and questioned why they were treating him like a "regular citizen." Based on Ms. [redacted] account of the incident, and the fact that Ms. [redacted] purse was inside of his apartment, Subject Lindo was arrested for Robbery and Spousal Assault.

Subject Lindo was described by Deputy [redacted] the arresting officer, as uncooperative and "near combative." Deputy [redacted] stated they thought at one point they were going to have to use force to arrest Subject Lindo.

Further, Subject Lindo lied during a Departmental internal investigation, see Intent, Truthfulness, and Acceptance of Responsibility below.

Deputy Lindo's case was submitted to the District Attorney and rejected because there was no evidence to substantiate either side of the story (Exhibit E). The photos referenced in the police report were never located by San Bernardino Sheriff's Department.

DISCIPLINE ASSESSMENT

[redacted]

Assessment of Mitigating and Aggravating Factors

Severity of Infraction:
The involvement in domestic violence or the abuse of another individual is a serious situation which warrants substantial discipline. This situation is aggravated by the fact that it resulted in the arrest of a deputy sheriff for a felony (Exhibit A). One might consider that the mitigating factor could be there was no criminal prosecution as a result of this incident. However, it does not appear that the behavior has stopped. Since the time of the subject's arrest, San Bernardino County Sheriff's Department has responded to Subject Lindo's apartment on three separate occasions for domestic disputes (Exhibits B, C, and D).

What compounds the severity of this infraction, is the unprofessional conduct of Subject Lindo toward the deputies that have responded to his home. During all four of the incidents in which Subject Lindo had contact with San Bernardino Sheriff's Department deputies, he was uncooperative on some level.

- On December 20, 2007, the subject was arrested and was extremely uncooperative with the deputies. The supervisor who was present during the incident described Subject Lindo as having a "gangster tone." In addition, the deputies thought they may have to use force on him. The deputies were surprised that a deputy sheriff would conduct himself in such a manner toward other law enforcement members. As he was being led out to the patrol car, Subject Lindo attempted to pull away and resisted, which necessitated two deputies for the escort in order to control him.

- On January 14, 2008, the same arresting deputy responded to Subject Lindo's apartment. Subject Lindo attempted to shut the door on the deputies after he stated everything was fine. The deputy told Subject Lindo that they would need to speak to his [redacted] and Subject Lindo stated it would be awhile because she was in the shower. Subject Lindo again tried to shut the door. When Ms. [redacted] came to the door it did not appear as if she had just showered.

- On February 5, 2008, Deputy [redacted] responded to the residence. Subject Lindo became argumentative and stated he was being harassed because he is black. Deputy [redacted] was not aware at the time of the incident that Subject Lindo was a deputy sheriff and stated that based on Subject Lindo's attitude he would have never guessed in his "wildest dreams" that Subject Lindo was a deputy sheriff.

- On February 27, 2008, deputies again responded to a call at the subject's residence for a domestic dispute. Deputies [redacted], [redacted] and [redacted] do not remember the incident. Both Deputies [redacted] and [redacted] describe the subject as uncooperative. The call was cleared as a verbal argument between a boyfriend and a girlfriend.

Intent, Truthfulness and Acceptance of Responsibility:
During the investigation the Subject was less than candid when asked about the circumstances surrounding the incident with Ms. [redacted] and the deputies that responded from San Bernardino Sheriff's Department. The subject does not appear to have accepted responsibility for this incident. Further, he shifts blame to Ms. [redacted] and the deputies that responded. The following conflicting statements were made by Subject Lindo:

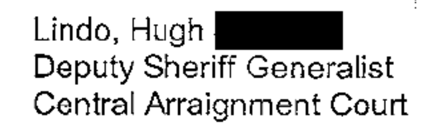
1. After Subject Lindo admits that police responded to his house on more than one occasion, he was asked why they came. Subject Lindo stated the police told him they heard noise coming from his apartment. When asked to clarify the word "noise," he stated that the officers said there was noise coming from the apartment. The investigator asked if any of the responding officers mentioned that this involved a domestic violence situation or argument, he stated they did not. However, he contradicts himself by stating, "I told them nothing was going on." All of the deputies that responded stated during their interviews that they were specific with Subject Lindo as to their purpose at the location. Furthermore, as a trained deputy sheriff, he should have reasonably assumed that when the deputies asked to speak to both parties in the location and added they had to check if everyone was ok, he should have known, even if it was not stated, that their purpose there was to investigate a domestic dispute.

2. Ms. [redacted] states in her interview on March 4, 2008, that she was currently living with Subject Lindo because she does not have anywhere else to live. Subject Lindo stated during his interview on March 17, 2008, that she does not live with him and moved out the day after his arrest. After talking with his representative, Subject Lindo made the following statement: Ms. [redacted] is my ex-girlfriend and stays from time to time, but is in the **process of moving**. This statement indicates she is still living with Subject Lindo.

3. Subject Lindo's statement that he was fully cooperative with deputies is contradicted by several deputies, who indicated that Subject Lindo was resistive during his arrest and on four separate occasions, was less than cooperative, argumentative, and had an attitude that was unbecoming of a deputy sheriff. What solidifies Subject Lindo's lack of cooperation is the fact that he refused to provide any information for the booking slip (Exhibit F).

Degree of Culpability:
The misconduct was committed solely by the subject.

Past Performance and Disciplinary History:
Deputy Lindo has been employed with the Department since 2006. He is currently on [redacted] and he has no disciplinary history.




[redacted]